

MIDDLE TENNESSEE STATE UNIVERSITY
Conflict of Interest Guide

Corresponding Policy: 12 – Conflict of Interest
 Policy Effective Date: June 5, 2017

TYPES OF CONFLICT OF INTERESTS

Types of Conflict of Interests	IF:	THEN:
1. Self-dealing	<ul style="list-style-type: none"> ○ A personal or financial benefit may be gained or realized (including a benefit gained or realized by a family member), OR ○ An action, contract, or situation appears to influence, or actually does influence, a decision of the institution, AND ○ The situation involves: (a) the purchase of state-owned property absent a fair and open bidding process (T.C.A. §12-2-208 and §12-2-412); (b) institutional purchases from a businesses in which an employee has a financial interest (T.C.A. § 12-4-103); or (c) certain bids on state contracts, whether bid by the employee or any company with whom the employee has an interest... 	<p>There is a potential self-dealing conflict of interest and a COI disclosure must be drafted and sent to the employee’s supervisor for notification and to the COI Committee for review and recommendations.</p>
2. Gifts, Gratuities, or Favors	<ul style="list-style-type: none"> ○ A gift of \$50 or more in value is received from a contractor or other business or financial entity seeking to do business with the institution, OR ○ A gift is provided in the form of a favor, gratuity, food, entertainment, lodging, transportation, loan, loan guarantee, or any other item of monetary value from a person or entity who: (a) is seeking to obtain, or already has obtained, a contractual, business, or financial relationship with the institution, or (b) has interests that may substantially affect the performance or nonperformance of employees... 	<p>There is a conflict of interest and a COI disclosure must be drafted and sent to the employee’s supervisor for notification and to the COI Committee for review and recommendations.</p> <p>Note: Gifts with a non-business purpose motivated by a close personal friendship; information materials; sample merchandise routinely given to customers; food/beverages/refreshments as part of professional meetings that is less than \$50; food/beverages/refreshments provided in connection with an event or an institutional or foundation fundraising event; or loans made in the ordinary course of business <i>are not prohibited gifts and do not apply to this section.</i></p>

Types of Conflict of Interests	IF:	THEN:
3. Inappropriate Use of Students or Support Staff	<ul style="list-style-type: none"> ○ A student or support staff member is being utilized for a non-MTSU related task or personal activity of a faculty or staff member... 	There is a conflict of interest, and such inappropriate use of the student or support staff member should be stopped immediately with notification to the faculty or staff member's supervisor for further recommendations.
4. Inappropriate Use of MTSU Owned Resources	<ul style="list-style-type: none"> ○ MTSU owned resources, facilities, equipment, or materials are significantly utilized for activities that are not related to MTSU without prior disclosure and written approval of an employee's supervisor... 	The employee must reimburse MTSU for the fair market rental rate established by the Business Office at the time of the discovery of such use.
5. Failure to Disclose Intellectual Property	<ul style="list-style-type: none"> ○ A faculty or staff member develops, invents, or authors a copyrightable work or invention that is jointly or solely developed or created during the faculty's or staff member's affiliation with MTSU... 	The faculty or staff member must disclose this information pursuant to this Policy (Policy 12) – Conflict of Interest, as well as Policy 140 – Intellectual Property.
6. Conflict of Commitment	<ul style="list-style-type: none"> ○ Personal or other non-university related activities prevent the employee from meeting his/her time and energy commitments to the University... 	There is a conflict of commitment, and a meeting should be planned with the employee's immediate supervisor and Human Resources to determine the appropriate action and next steps (see also Policy 814 – Outside Employment, Extra Compensation, and Dual Services Agreements).